

**DRAFT AMENDMENT**  
**Serial No. 09/964,238**

**REMARKS**

Support for the proposed amendment of claim 2 can be found, for example, in allowed claim 3 and paragraphs 55 and 56 (Example V) of the specification.

Claim 2, as amended, introduces a number of the elements found in allowed claim 3. Therefore, the amendment would not require a new search and defines over the cited references. In particular, SMAD-4, SMAD-1, hMAD-3, hMAD-4 and FAST-1 do not bind to E2 box sites and interfere with Brachyury-mediated transcription activation. Since the cited references do not disclose a protein or fragment thereof meeting all of the claim elements, claim 2 is not obvious in view of the cited references.

Respectfully submitted,



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